REMARKS

The undersigned wishes to thank the Examiner for issuing a second Final Office Action

with a clarifying Response to Arguments section as requested.

Claims 1-30 remain pending.

Applicant proposes amending claim 26 solely to correct a typographical error. As

amended, claim 26 will now recite an "article of manufacture" to correctly reflect the subject

matter of claim 19 from which it depends. Because this proposed change to claim 26 is the only

change to the claims, and because it is non-substantive, Applicant respectfully requests that the

Examiner enter this Amendment After Final.

In the Final Office Action, the Examiner rejected claims 1-12 and 14-30 under 35 U.S.C.

§ 102(b) as being anticipated by Goronsky (EP 1022725 A1); and rejected claim 13 under 35

U.S.C. § 103(a) as being unpatentable over Goronsky in view of Ellis et al. ("Tandem Acoustic

Modeling in Large Vocabulary Recognition," IEEE Conference on Acoustics, Speech, and

Signal Processing, 2001).

Claims 1, 18, and 28:

Applicant respectfully traverses the § 102(b) rejection of independent claims 1, 18, and

28 over Goronsky. Claims 1, 18, and 28 require a method, article of manufacture, and apparatus

including, *inter alia*, "determin[ing] an identity of a speaker through a network over which

output data including identification information is provided to one or more speech-recognition

systems." Goronsky fails to disclose at least the above quoted element of independent claims 1,

18, and 28.

With regard to these claims, page 6 of the Final Office Action alleges that the above-quoted claim language is met because "the identity of the speaker [is checked] every time the speaker changes, which requires use of some form of identification information to output to the verification module (4)." Undoubtedly Goronsky at col. 3, lines 45 and 46 discloses that "In the verification module 4, an automatic identification of the speaker is performed." The point of disagreement appears to be whether or not Fig. 1 of Goronsky discloses 1) that the identity of a speaker is determined "through a network" and 2) that identification information is provided to one or more speech-recognition systems "over" the network, as claimed.

Fig. 1 of Goronsky does not disclose, either explicitly or implicitly, the "network" set forth in claims 1, 18 and 28. Rather, Fig. 1 shows a device, or portion of a system, whose circuit components are connected by typical, point-to-point electrical connections. For example, col. 3, lines 39-42, of Goronsky discloses that microphone 1 inputs an analog signal to A/D converter 2, which inputs a corresponding digital signal to feature extraction module 3. Because an analog signal from microphone 1 to A/D converter 2 is typically transferred via an electrically conductive wire or trace, all similar arrows in Fig. 1 to that connecting components 1 and 2 are also, by implication, mere electrical connections. This conclusion is further supported by col. 4, lines 1-6, which discloses that modules 5 and 6 are selectively connected to storages 7-10 via "a switch 11" that is controlled by "a control signal" from module 4. Such a "switch," without more, discloses only a typical circuit component connected via electrical connections.

A device with interconnected circuit components as illustrated in Fig. 1 of Goronsky cannot reasonably be said to include "a network" as claimed. Nor does the mere serial

connection of a microphone 1 to A/D converter 2 to extraction module 3 to verification module 4 (which, as explained above, identifies the speaker) reasonably disclose "determin[ing] an identity of a speaker through a network." Rather, Goronsky discloses at col. 3, lines 45 and 46 that identification of a speaker is performed solely by and within verification module 4. Hence, Figs. 1 and 2 of Goronsky (and their associated description in col. 3, line 35 to col. 4, line 40) fail to disclose a network, determining identity through a network, or providing identification information over a network, as set forth in claims 1, 18, and 28.

Page 6 of the Office Action does point to a single mention of "a networked system" at col. 3, lines 2 and 3, in a summary portion of Goronsky. One use of the term "networked system" in a summary section does not necessarily mean that Fig. 1 of Goronsky includes a network. For example, the device or portion shown in Fig. 1 may be connected to a network that is not shown to form the "networked system" mentioned at col. 3, lines 2 and 3. Later in the same column, Goronsky clearly states that "Figure 1 shows *only the part* of the automatic speech recognition system . . . *that is used for* speaker adaptation and *automatic identification of the speaker.*" (col. 3, lines 35-38 (emphasis added)). Hence, the mention of "a networked system" does not necessarily mean that a network is present in Fig. 1. A showing of "necessarily flowing" from the teachings of the prior art is needed for implicit or inherent disclosure (see M.P.E.P. § 2112). Inherency of the claimed network has not been alleged in Goronsky, however, and in any event cannot be shown as explained above.

For at least these reasons, Goronsky fails to disclose all elements of independent claims 1, 18, and 28, either explicitly or implicitly. The § 102(b) rejection of these claims remains improper and must be withdrawn.

Dependent claims 2-12, 14, and 18-30 are allowable at least by virtue of their respective dependence from claims 1, 18, and 28.

Regarding dependent claim 13, the addition of Ellis et al., even if proper, fails to cure the deficiencies of Goronsky explained above. Ellis et al. also fails to teach or suggest the above-quoted element of the method recited in independent claim 1. The Office Action does not allege that Ellis et al. teaches or suggests the claim element at issue. Hence, a *prima facie* case of obviousness has not been established for dependent claim 13, because the combination of references fails to teach or suggest all elements of this dependent claim.

Claim 15:

Applicant respectfully traverses the § 102(b) rejection of independent claim 15 over Goronsky. Claim 15 requires a method including, *inter alia*, "accessing by a speaker a network containing a speech recognition system." Goronsky fails to disclose at least the above quoted element of independent claim 15.

As explained above with regard to claims 1, 18, and 28, Figs. 1 and 2 of Goronsky do not disclose a network -- just a device or portion of a system. The only thing that Goronsky discloses a speaker accessing is microphone 1 (col. 3, lines 39 and 40). Such microphone 1 cannot be reasonably considered to be a network or part of a network; it is merely an input

device coupled to verification module 4. Thus, <u>Goronsky</u> fails to disclose accessing a network by a speaker, as required by claim 15.

Dependent claims 16 and 17 are allowable at least by virtue of their dependence from claim 15.

Applicant submits that claims 1-30 are allowable over the applied art. Reconsideration and allowance of these claims is respectfully requested.

In the event that any outstanding matters remain in this application, Applicant requests that the Examiner contact Alan Pedersen-Giles, attorney for Applicant, at the number below to discuss such matters.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0221 and please credit any excess fees to such deposit account.

Respectfully submitted,

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